

REMARKS

By this amendment, Applicants have submitted a new declaration, provided replacement drawings, amended the specification, canceled claims 1-20, without prejudice, and added new claims 21-40. As a result, claims 21-40 are pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Oath/Declaration

In the Office Action, the Office indicates that the oath or declaration is defective. In response, Applicants have provided a new declaration that identifies this application by application number and filing date, includes all necessary inventor information, and which is executed by all the inventors. Please note, that in the original declaration, the first name of the 6th inventor, Shawn Roberts, was incorrectly spelled. The new declaration reflects the correct spelling of the inventor's first name. As a result, Applicants respectfully submit that the new declaration is in compliance with 37 C.F.R. 1.67(a).

Drawings

The Office objects to the drawings for failing to clearly show the claimed invention. In response, Applicants have herein provided replacement sheets for all of the drawings that are

clearly legible. To this extent, Applicants note that, in order to improve legibility, former Fig. 2 has been replaced with Figs. 2A-C and former Fig. 7 has been replaced with Figs. 7A-D. The appropriate paragraphs in the Brief Description of the Drawings have been amended to reflect the new Figures. No new matter is believed added by the replacement sheets. As a result, Applicants respectfully request withdrawal of this objection.

The Office further objects to Fig. 2 as allegedly failing to comply with 37 C.F.R. 1.84(p)(4). In particular, the Office alleges that reference characters 300 and 300a have both been used to designate the dashed area in the upper left of Fig. 2. Initially, Applicants note that multiple reference characters can be used to designate the same item in a figure. Contrary to the Office's assertion, 37 C.F.R. 1.84(p)(4) only requires that the same reference character be used to designate the same part in different views, and that the same reference character not be used to identify different parts. Regardless, Applicants note that, in Fig. 2, reference character 300 identifies the entire network, which includes three sections uniquely identified by dashed outlines and reference characters 300a, 300b, and 300c. Applicants direct the Office to the discussion starting on page 7, line 2 of the application, and particularly, lines 10-14 of page 7, for a clear and concise explanation of Fig. 2 and the relevant reference characters. As a result, Applicants respectfully request withdrawal of this objection.

The Office further objects to the drawings under 37 C.F.R. 1.83(a) for allegedly failing to show reference characters 315, 320, and 330 as being included as part of network 300. As shown in replacement Fig. 2C, each of the reference characters is included in back end side 300b, which is a section of network 300, as discussed above. As a result, Applicants respectfully request withdrawal of this objection.

The Office further objects to the drawings under 37 C.F.R. 1.84(p)(4) since page 8, line 8 uses the reference character 310a to refer to an upload manager and Fig. 3 includes a reference character 310c to refer to the upload manager. Applicants thank the Examiner for his careful review of the application. In response, by replacement paragraph, Applicants have corrected the indication on page 8, line 8 to use the correct reference character, 310c. As a result, Applicants respectfully request withdrawal of this objection.

The Office further objects to the drawings under 37 C.F.R. 1.84(p)(5) for including various reference characters not mentioned in the description. In particular, the Office notes that Figs. 2 and 3 (1 and 2 in the Office Action) include a reference character 332 that is not mentioned in the description. In response, Applicants have provided a replacement paragraph for the paragraph starting on line 20 of page 7 that includes the reference character. The Office also notes that Fig. 5 includes reference characters 400a and 420a that are not mentioned in the description. In response, Applicants have provided a replacement paragraph for the paragraph starting on line 13 of page 14 that includes the reference characters. The Office also notes that Fig. 7 includes reference characters 650 and 670 that are not mentioned in the description. In response, Applicants have provided a replacement paragraph for the paragraph starting on line 17 of page 15 that includes the reference characters. As a result, Applicants respectfully request withdrawal of these objections.

Specification

The Office objects to the specification since line 19 of page 7 uses the same reference number for two different parts. In response, Applicants have provided a replacement paragraph

that corrects the reference number for the network. As a result, Applicants respectfully request withdrawal of this objection.

The Office further objects to the specification since line 14 of page 13 refers to a non-existent figure and includes an open parenthesis without a corresponding closing parenthesis. In response, Applicants have provided a replacement paragraph that corrects the figure reference and includes a closing parenthesis. As a result, Applicants respectfully request withdrawal of these objections.

Claim Objections

The Office objects to claim 20 as being of improper dependent form for depending from a non-existent claim 21. By this response, Applicants have canceled claim 20, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection.

The Office objects to claims 1-8, 16-17, and 19 as allegedly not including appropriate step language. By this response, Applicants have canceled claims 1-8, 16-17, and 19, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection. Regardless, Applicants note that the language proposed by the Office is not required for method claims. To the contrary, “comprising” and “including” are well accepted transitional phrases. See, e.g., MPEP 2111.03. As a result, Applicants have maintained the use of the transitional phrases in the newly presented claims.

Claim Rejections - 35 U.S.C. § 112

The Office rejects to claim 20 under 35 U.S.C. § 112, second paragraph for having insufficient antecedent basis. By this response, Applicants have canceled claim 20, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 102

The Office rejects claims 1, 3-5, 7-8, and 18 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,600,569 (Osada). By this response, Applicants have canceled claims 1, 3-5, 7-8, and 18, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection.

Claim Rejections - 35 U.S.C. § 103

The Office rejects claims 2, 6, 9-11, 14-17, and 19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Osada in view of U.S. Patent No. 6,615,234 (Adamske). By this response, Applicants have canceled claims 2, 6, 9-11, 14-17, and 19, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection.

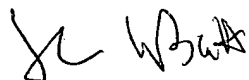
The Office rejects claims 12 and 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Osada in view of Adamske and further in view of U.S. Patent No. 6,167,567 (Chiles). By this response, Applicants have canceled claims 12 and 13, without prejudice. As a result, Applicants respectfully request withdrawal of this rejection.

Newly Presented Claims

Applicants have herein presented new claims 21-40 for consideration by the Office.

Applicants respectfully submit that each of these claims includes one or more features that are not disclosed or suggested by the prior art of record. As a result, Applicants respectfully submit that these claims are in condition for allowance as presented. However, should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,



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